REMARKS

Claims 1-31 are pending in this Application, of which Claim 1 is the independent claim. All claims stand rejected.

In the previous Amendment filed November 9, 2007, Claim 7 was not amended, but the "Claim Listing" for Claim 7 showed an obvious typographical error. This error has been corrected in the Claim Listing presented above, and Applicants apologize for any confusion caused by this error.

Applicants note with appreciation the reconsideration and withdrawal of the objections to the Specification, the double patenting rejections, and the rejections under 35 U.S.C. § 112 as indicated in the last Office Action.

Rejection of Claims 1-31 under 35 U.S.C. § 102(e) and 35 U.S.C. § 103

Claims 1-8, 10, 11 and 14-31 have been rejected under 35 U.S.C. § 102 as being anticipated by Kabra et al. (U.S. Patent No. 6,507,834). Claims 9, 12 and 13 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kabra in view of Ozbutun (U.S. Patent No. 6,658,405). These rejections are maintained from the previous Office Action mailed August 9, 2007.

Returning to the instant Office Action, in the "Response to Arguments," a number of statements indicate why the Applicants' previous arguments regarding the § 102 rejections were not found to be persuasive. However, in the Amendment filed November 9, 2007, Applicants described at least one reason that Kabra fails to teach the invention recited in Claim 1 that was still not fully addressed by the Examiner:

> Kabra does not disclose a data processor arranged as recited in Claim 1. As stated above, Kabra describes a method of coordinating parallel execution of a query on multiple data servers. In contrast to the JPU of the present invention, however, the data servers 130 of Kabra are not responsive to "requests from other JPUs" to process data (emphasis added). As shown in Fig. 6A, each data server 130A-B executes a respective portion of the plan without communicating with one another. Although the Office Action cites Kabra at col. 7, lines 19-26, this passage merely describes transport protocol "between the QC 104 and any one of the DS 130 elements," and does not describe communication between data servers 130.
> On the contrary, Kabra teaches away from such communication: "...it is difficult to obtain and execute queries from within...one data server 130 when the data that is the

subject of the [query] may reside on different data servers" (col. 12, line 65 – col. 13, line 3). Kabra teaches "preprocessing" at the QC 104 to avoid a need to access data on one data server from another data server 130 (col. 13, lines 14-24). In contrast, embodiments of the present invention do not encounter such a problem because each JPU is responsive to "requests from other JPUs" to process data. Thus, Kabra actually teaches away from the present invention.

Amendment, 11/9/2007, at page 12, lines 5-19. As indicated above, Applicants stated that Kabra fails to teach – and in fact teaches away from – a data processor and a "Job Processing Unit" as recited in Claim 1. Kabra's "data servers 130" are not responsive to requests from one another. In contrast, Applicants' JPUs are responsive "to requests from other JPUs" as recited in Claim 1.

However, the last Office Action is not responsive to the above arguments. Rather, the Office Action merely repeats prior rejections and cites Kabra at Fig. 6A and col. 11, lines 50-52. In that section, Kabra discloses that a "client transmits 618 a request for the master data," which relates to data servers being "responsive to requests" from a client. But that does <u>not</u> amount to teaching that data servers are responsive to requests from other data servers. On the contrary, Kabra at Fig. 6A actually shows that the data servers 130A and 130B do <u>not</u> communicate with one another, and so are not responsive to requests from one another.

Under the M.P.E.P., a Final Rejection "should include a rebuttal of <u>any arguments raised in the applicant's reply</u>" (MPEP 706.07). Because the last Office Action is not responsive to the arguments presented in the Amendment filed November 9, 2007, which are reproduced above, it is believed that the Final Rejection of this Application is premature. Accordingly, Applicants respectfully request that the finality of the Office Action be reconsidered and withdrawn (see MPEP at 706.07(d)).

Further, the Office Action asserts at page 3, line 22 – page 4, line 4, that Kabra discloses a programmable streaming data processor (PSDP) at col. 7, line 61 – col. 8, line 5. However, Kabra does not disclose a PSDP. Kabra instead discloses "network streams," which are "C++ objects" that are used to move data from the data servers 130 toward the client 102, through either a communications network or a shared memory (col. 7, lines 53-64). Thus, Kabra's "network streams" are not PSDPs as defined in Applicant's Specification (page 7, lines 19-26 and page 8, lines 26-28). Moreover, Kabra's "network streams" are not "configured to perform filtering functions directly on data received from the streaming data interface ... [and]

performing initial processing on a set of data," as recited in claim 1. The "network streams" merely transport data, and can be used to demultiplex data into multiple output streams (col. 7, line 64 – col. 8, line 5). Kabra's network streams do not perform initial processing or filtering of data. As a result, Kabra fails to teach a PSDP as recited in Claim 1.

Claims 2-8, 10, 11 and 14-31 depend from Claim 1 and so are allowable for at least the reasons indicated above. As a result, the § 102 rejection of claims 1-8, 10, 11 and 14-31 is believed to be overcome, and reconsideration is respectfully requested.
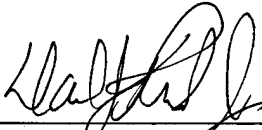
Ozbutun discloses methods indexing bodies of records, and does not relate to a data processor having first and second groups of nodes; nor does it relate to a programmable streaming data processor. Given the aforementioned shortcomings of Kabra, no combination of Kabra and Ozbutun teaches or suggests the present invention as recited in Claims 9, 12 and 13. Thus, the §103 rejection of Claims 9, 12 and 13 is believed to be overcome, and reconsideration is respectfully requested.

- 10 -

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By_____
David J. Thibodeau, Jr.
Registration No. 31,671
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133
Date: 5/22/08